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April 14, 2015

VIA ECF & COURTESY COPY BY E-MAIL

Hon. Katherine Polk Failla
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 618
New York, NY 10007
Failla_NYSDChambers@nysd.uscourts.gov

**Re: Application for Restoration to Court's Active Calendar of
Telebrands Corp. v. TV Direct LLC
Civil Action No. 1:14-CV-5978-KPF-FM**

Dear Judge Failla:

The undersigned represent Plaintiff Telebrands Corp. ("Telebrands") in the above-referenced case. Pursuant to the instructions in this Court's Order of Discontinuance (Dkt. 18), Telebrands respectfully requests restoration of this action to the active calendar of this Court.

A settlement has not been consummated. After Telebrands informed the Court that a settlement in principle was reached and requested an adjournment on March 17, 2015 (Dkt. 17), Telebrands learned that Defendant TV Direct LLC ("TV Direct") provided deceptive and incomplete sales information regarding the accused products. TV Direct refuses to provide Telebrands with the missing information. As a result, the parties unfortunately are at an impasse and have not been able to consummate the settlement.

Accordingly, Telebrands respectfully requests that the Court restore this Action to its active calendar and set a date for a conference for the parties to schedule the outstanding dates and deadlines in this matter.

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Telebrands thanks the Court for its consideration of this matter.

Respectfully submitted,

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